

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.415 OF 2005

IN

FIRST APPEAL NO.263 OF 2005

S. Bhupinder Singh Anand ... Applicant

Vs.

Rajinder Singh Anand ... Respondents

Mr. O.S. Kutty for the applicant.

Mr. R.A. Thorat for respondents 2.

**CORAM: SMT. RANJANA DESAI, J.**

**DATED: 24TH FEBRUARY, 2005.**

**P.C.:-**

1. The first appeal has been admitted by me. The present civil application is for grant of interim relief. Without going into the merits of the case and without expressing, even prima facie opinion on the rights of the parties, the civil application can be disposed of with the following arrangement.

2. The appellant Mr. S. Bhupinder Singh Anand shall occupy one room of the suit premises, which is shown in the photograph marked 'X', during the pendency of this appeal. Needless to say that he will be allowed to use the toilet block in the said flat. Looking to the strained relationship of the parties, it is apprehended that some untoward incident may take place. Hence, the

: 2 :

appellant shall not, during his stay in this said flat, indulge in any act which will cause breach of peace. Similarly, the respondents are also directed to see that the peace is maintained. I am informed that both the parties have separate keys. The appellant shall not obstruct the use of the suit flat by the respondents. The respondents will be at liberty to use the rest of the flat. Liberty to the parties to approach this court in case, there is a breach of the above order and in such a situation, fresh orders will be passed.

3. Civil application is disposed of in the aforesaid terms.

(SMT. RANJANA DESAI, J.)